

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT E. MASHATT,

Plaintiff,

Civil Action No. 13-CV-13712

v.

Honorable Patrick J. Duggan

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, DENYING
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, and
REMANDING PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)**

On August 29, 2013, Plaintiff filed this lawsuit challenging the final decision of the Commissioner that he is not entitled to social security benefits for his physical and mental impairments. The parties filed cross-motions for summary judgment, which were referred to Magistrate Judge Mona K. Majzoub.

On March 1, 2015, Magistrate Judge Majzoub issued a Report and Recommendation (R&R) recommending that the Court grant in part and deny in part Plaintiff's motion for summary judgment, deny Defendant's motion for summary judgment, and remand the matter for a re-determination at steps one

through five of the sequential evaluation process in accordance with the correct alleged onset date of April 18, 2008.

At the conclusion of the R&R, Magistrate Judge Majzoub advised the parties that they may object and seek review of the R&R within fourteen days. R&R at 11-12 (ECF No. 19). She further advised the parties that “[f]ailure to file specific objections constitutes a waiver of any further right of appeal.” *Id.* at 12. Neither party has filed objections to the R&R, and the time to do so has expired.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by the Magistrate Judge. The Court therefore adopts the Magistrate Judge’s R&R. Accordingly,

IT IS ORDERED that Plaintiff’s motion for summary judgment is **GRANTED IN PART AND DENIED IN PART**;

IT IS FURTHER ORDERED that Defendant’s motion for summary judgment is **DENIED**.

IT IS FURTHER ORDERED that the matter is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for a re-determination at steps one through five of the sequential evaluation process in accordance with the correct alleged onset date of April 18, 2008.

Dated: March 18, 2015

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

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